

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**James Thomas Jones and Melissa Anne Jones**

a/k/a Jamie Jones, Melissa Anne Milton Jones,

**Case No. 10-82106**

Melissa Milton Jones, Melissa A Milton

S.S. Nos.: xxx-xx-5204 and xxx-xx-3058

Mailing Address: 360 Seabiscuit Drive, Raeford, NC 28376-

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on November 17, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 3, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtors

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# **CH. 13 PLAN - DEBTS SHEET** (MIDDLE DISTRICT - DESARDI VERSION)

Date: 11/3/10

Lastname-SS#: Jones-5204

## **RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN**

Retain	Creditor Name	Sch D #	Description of Collateral
	SunTrust		House & Lot
	GMAC		2005 Chevrolet Cobalt
	Chase		2004 Chevrolet Silverado

## **SURRENDER COLLATERAL**

Creditor Name	Description of Collateral

## **ARREARAGE CLAIMS**

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
	SunTrust			**
	GMAC			**
	Chase			**
				**
				**
	None			**
				**
				**
				**

## **REJECTED EXECUTORY CONTRACTS/LEASES**

Creditor Name	Description of Collateral
None	None

## **LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS**

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	None			N/A	n/a		
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

## **STD - SECURED DEBTS at FMV**

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	None			5.00			
				5.00			
				5.00			
				5.00			

## **STD - SECURED DEBTS at 100%**

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			
				5.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$2,800
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		
State Taxes		
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount**
DMI=	\$845	\$50,700

## **PROPOSED CHAPTER 13 PLAN PAYMENT**

\$ **\$978** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **3.05** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOJTO

## **Other Miscellaneous Provisions**

Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
Kaelyn McCollum

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Capital One  
Post Office Box 85015  
Richmond, VA 23285-5075

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

Aafes  
Post Office Box 15110  
Wilmington, DE 19850

Capital One  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

AHM  
1220 Old Alpharetta Road  
Alpharetta, GA 30005

Capital One  
Post Office Box 85167  
Richmond, VA 23285-5167

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

AID Associates INC. dba  
Plaza Recovery Associates  
JAF Station PO Box 2769  
New York, NY 10116-2769

Care Credit  
c/o GE Money Bank  
Post Office Box 981438  
El Paso, TX 79998-1438

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Ally  
Attn: Managing Agent  
Post Office Box 380901  
Minneapolis, MN 55438

Chase  
Attn: Managing Agent  
Post Office Box 901076  
Fort Worth, TX 76101-2076

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Andreu, Palma & Andreu, PL  
701 SW 27th Avenue  
Suite 900  
Miami, FL 33135

Chase Bank USA  
201 North Walnut Street  
Wilmington, DE 19801

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Best Buy  
c/o HSBC  
1405 Foulk Road  
Wilmington, DE 19808

CitiBank  
Post Office Box 6500  
Sioux Falls, SD 57117-6500

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

BP/Chase  
Cardmember Service  
Post Office Box 15548  
Wilmington, DE 19886-5548

CitiFinancial  
3950 Regent Boulevard  
S2A-283  
Irving, TX 75063-2244

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

CACH, LLC  
370 17th Street, Ste 5000  
Denver, CO 80202

CitiFinancial  
Bankruptcy Department  
Post Office Box 140489  
Irving, TX 75014-0489

College Foundation  
2917 Highwoods Boulevard  
Raleigh, NC 27604-1021

Hoke County Tax Collector  
Attn: Managing Agent  
Post Office Box 217  
Raeford, NC 28376-0217

Old Navy  
Post Office Box 981064  
El Paso, TX 79998-1064

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402-6140

Internal Revenue Service  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Sam's Club  
Post Office Box 981064  
El Paso, TX 79998-1064

Dell  
Post Office Box 81585  
Austin, TX 78708-1585

Jacob Law Group, PLLC  
Post Office Box 948  
Oxford, MS 38655-0948

Sec Credit  
2623 West Oxford Loop  
Oxford, MS 38655

Discover  
c/o Smith Debnam Narron Drake Et. Al.  
Post Office Box 26268  
Raleigh, NC 27611-6268

Lane Bryant  
c/o WFNNB  
Post Office Box 182273  
Columbus, OH 43218

SunTrust  
Attn: Managing Agent  
Post Office Box 6506  
Englewood, CO 80155

Encore  
Post Office Box 47248  
Oak Park, MI 48237

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Target National Bank  
c/o Target Credit Services  
P.O. Box 1581  
Minneapolis, MN 55440-1581

GE Money Bank  
Bankruptcy Dept.  
Post Office Box 103104  
Roswell, GA 30076-3104

NCO Financial Systems Inc.  
ATTN: 417  
Post Office Box 7172  
Dublin, OH 43017

The Children's Place Plan  
Post Office Box 653054  
Dallas, TX 75265

GE Money Bank  
Post Office Box 981127  
El Paso, TX 79998-1127

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

The Home Depot  
Post Office Box 6497  
Sioux Falls, SD 57117-6497

GMAC  
Attn: Managing Agent  
Post Office Box 380902  
Minneapolis, MN 55438-0902

North Carolina Dept of Revenue  
Post Office Box 1168  
Raleigh, NC 27602-1168

United Collection Bureau  
5620 Southwyck Boulevard  
Suite 206  
Toledo, OH 43614

Hoke County Tax Collector  
Post Office Box 217  
Raeford, NC 28376-0217

North Carolina Employment Security  
Commission  
Post Office Box 26504  
Raleigh, NC 27611-6504

United Recovery Systems, Inc.  
5800 North Course Drive  
Houston, TX 77072-1613

US Attorney's Office  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Wells Fargo Financial Cards  
3201 North 4th Avenue  
Sioux Falls, SD 57104

US Department of Education  
Post Office Box 5202  
Greenville, TX 75403-5202

US Department of Education  
Post Office Box 13328  
Richmond, VA 23225-0328

US Department of Education  
Direct Loan Servicing Center  
Post Office Box 5609  
Greenville, TX 75403-5609

USAA Federal Savings Bank  
Post Office Box 33009  
San Antonio, TX 78265

Valentine & Kebartas, Inc.  
Post Office Box 325  
Lawrence, MA 01842

Vector Security  
70 East Business Park  
131 US 70 East  
Garner, NC 27529

Veterans Administration  
Regional Office  
251 North Main Street  
Winston-Salem, NC 27155

WalMart  
Post Office Box 981400  
El Paso, TX 79998